

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

KATHERINE VEALS
Plaintiff,

v.

WICHITA COUNTY
Defendant

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CASE NO. 7:09-CV-00199

FINDINGS AND RECOMMENDATION

This case comes for consideration pursuant to the District court's Order of Reference (Docket No. 4) dated 1/4/2010. Plaintiff has sought permission to proceed *in forma pauperis*. (Docket No.2) Accordingly, the Complaint may be reviewed under the proscriptions of 28 U.S.C. §1915 (e). I quote the handwritten complaint to read as follows:

"COMPLAINT"

"The rights of Freedom of speech was denied. (Montering my Even Above Freedom to speak with people in the City, (too) Concerning my Problem. Denial me of my constitutional Rights (Identity Theft Put hold on my life: with my Personal Bussiness (finances) Aloud People to invade upon my Private Life (24 hr) Home Life Expose to Public. Interfear in everything: I seat out too due) (People in the City expose my medical Bussiness, Private Bussiness, Too Public & Personal Bussiness too. The Public, Left me and my Family with Mental & Psychiatric Illness (Scar).(With the City Rumor!) & medcial Problem. Son had too be committed too the Stated (due) too the City Rumor Medaline I try to seek Profossion Help But No on could help me everone too if too Be Fan While the money were Being Giveing under the talble I went too the New Paper Legal Aid urban House Police Station The Mayro The People in the city had no one But No one would would Help Even went to the Church I know for a fact It was a under ground Job Dec 26, at 12:15 I was watching T.V. Everything I seen on T. V. Are the same thing I on the street and around even my Daily Life Montering Me and my kids Mental abiaity were being tested and exitpose too pubille or Life were being montior 24 hr. and People In the City Laugh at us while spreading rumors around the city so much my life were like live in Hell My kids had to run away from home too find a since of peace Lots of Day they came home crying from Rumor have to take medcation just too look outside We fear for our life in Pubilc People were being pay under the table by housing & church were being pay to in the neighborhood. The Rum got so bad it when Nationwide Air on T.V. & Radio; Underground" (*Spelling, punctuation and grammar errors were Plaintiff's*)

To fairly analyze this complaint I have attempted to translate and paraphrase the complaint into proper English, spelling and grammar as follows:

“My constitutional right of freedom of speech were denied. I was even denied the right to speak to City personnel about my problem. My every move is being monitored. City personnel made public disclosure of my personal financial, personal medical, and personal business information and information about my personal life and started rumors about me. These disclosures and rumors have caused me and my family mental illness damages, job loss, eviction from low cost housing and has even caused my son to be committed to a mental institution.

I have sought professional help from many places- the newspaper, legal aid, the urban house, the police station, the mayor, but no one (not even the City personnel) would help me with my problem. Certain payments have been made under the table to city personnel. Even the neighborhood church would not help me.

These disclosures and rumors were an underground way to hurt me. I saw the same thing on TV. City personnel are monitoring me and my kids and our daily lives 24 hours per day and exposing us and our lives and spreading rumors to the general public. This is making my life and the lives of my kids like a Hell. It caused my kids to run away from home to find peace of mind. They have come home crying and need medication just to look outside. It is the housing authority that is making the under the table payments.

The rumors were so bad they went nationwide on TV and Radio.”

I find that Plaintiff’s complaint consists of the inarticulate rantings of a destitute person living on the street either seeking help with her physical, financial or mental condition or for her family. These forms of direct help this Court cannot and does not have the power or authority to give. She states no claim or cause of action against Wichita County, the party-defendant she named, but instead directs her complaints toward the City (of Wichita Falls, apparently) or unnamed and unidentifiable personnel of the City. Although she grounds her apparent complaint on the “freedom of speech” she never alleges any direct or indirect interference with her speaking. Rather, she complains of others speaking, to-wit, persons making disclosures or persons fabricating or spreading rumors. There is so little alleged in this complaint that it is a waste of time to try to ideate up some federal law or right that might be implicated in her ranting. Any further analysis of this Complaint is a waste of time. Therefore, I recommend to the District Court that the Complaint be immediately dismissed as frivolous under 28 U.S.C. § 1915(e) (2) (B) (I). I further recommend that in the light of the dismissal recommended herein that Plaintiff’s motion to proceed *in forma pauperis* be denied as moot.

It is so recommended this 4th day of January, 2010.


Robert K. Roach
UNITED STATES MAGISTRATE JUDGE